



General Assembly

**Amendment**

February Session, 2004

LCO No. 4226

**\*HB0562504226HDO\***

Offered by:

REP. ORANGE, 48<sup>th</sup> Dist.

To: Subst. House Bill No. 5625

File No. 496

Cal. No. 342

**"AN ACT CONCERNING REGISTERED AGENTS AND ANNUAL REPORTS OF STOCK AND NONSTOCK CORPORATIONS, THE NAMES OF BUSINESS ENTITIES REQUIRED TO FILE WITH THE SECRETARY OF THE STATE, THE FILING OF AIRCRAFT AND VESSEL LIENS, THE FILING OF CERTAIN NOTICES AND REPORTS BY LIMITED LIABILITY COMPANIES AND JURISDICTION OVER FOREIGN VOLUNTARY ASSOCIATIONS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. The preamble to the resolution incorporating Bacon  
4 Academy in 1803 contained in Volumes I and II, Title I, Academies, of  
5 the Resolves and Private Laws of the State of Connecticut from the  
6 year 1789 to the year 1836 is amended to read as follows (*Effective from*  
7 *passage*):

8 Upon petition of Roger Bulkley and others, [shewing] showing that  
9 Pierpont Bacon, by his last Will and testatment, bequeathed the  
10 principal part of his estate to the first Society in Colchester, for the  
11 support of Schools therein.

12       *Resolved by this Assembly, That* [all persons by law capable of voting  
13 in school society meetings and living within the present limits of the  
14 first school society in Colchester, be and they are] there is hereby  
15 constituted, ordained and declared to be, from time to time, forever  
16 hereafter, one body corporate and politic in fact and in name, by the  
17 name of "*The Trustees and Proprietors of Bacon Academy*," and by that  
18 name [they and their successors] said corporation shall and may have  
19 forever hereafter perpetual succession, and [are] it is hereby made  
20 capable in law to have, purchase, receive and hold to [them] it and  
21 [their] its successors, lands, tenements, hereditaments, rents, moneys,  
22 goods, chattels and effects of what kind or quality soever, [to any  
23 amount not exceeding one hundred thousand dollars in the whole,]  
24 including [their] its present fund, and the same to sell, grant, alien,  
25 dispose of, or manage in any manner consistent with the true intent  
26 and meaning of the donors or grantors thereof --- to sue and be sued,  
27 plead and be impleaded, defend and be defended in all or any court ---  
28 to have a common seal, and the same to break and renew at pleasure --  
29 - to make and execute such by-laws and regulations as [they] its  
30 trustees shall deem expedient for the governing and well ordering the  
31 concerns of said corporation, and not contrary to laws of this State [;  
32 and to nominate trustees, and to remove them from office and to  
33 choose such other officers as they may deem necessary; and the first  
34 meeting of said corporation shall be holden at the Meeting house in  
35 said society at such time as the said Roger Bulkley and Daniel Watrous  
36 shall, by warrant under their hands appoint, and notice thereof shall be  
37 given in the same manner as the meetings of said school society are  
38 now usually warned; and a meeting of said corporation shall be  
39 holden on the last Monday in April annually, and all future meetings  
40 may be warned in such manner as said corporation shall direct] --- and  
41 to otherwise conduct those activities that may be conducted by a  
42 corporation organized pursuant to the Connecticut Revised Nonstock  
43 Corporation Act, or any successor thereto, that is exempt from federal  
44 income taxation as an organization described in section 501(c)(3) of the  
45 Internal Revenue Code of 1986, as amended, or any successor thereto.  
46 And be it further resolved, that said corporation shall proceed and be

47 regulated by the principles contained in the following articles, viz:---

48 Sec. 502. Article 1 of the resolution incorporating Bacon Academy in  
49 1803 contained in Volumes I and II, Title I, Academies, of the Resolves  
50 and Private Laws of the State of Connecticut from the year 1789 to the  
51 year 1836 is amended to read as follows (*Effective from passage*):

52 1. [There shall be established for ever hereafter in the first society of  
53 Colchester, a school by the name of Bacon Academy, for the instruction  
54 of youth in reading and writing English, in arithmetic, mathematics,  
55 the languages, and other branches of learning, and shall include a  
56 common school, and a school of a higher order to be opened and kept  
57 in the building erected for that purpose, near the Meeting house,  
58 unless other buildings shall be erected for the accommodation of said  
59 school. The common school shall have preference for support from the  
60 funds of said corporation, and the school of a higher order shall be  
61 supported by the surplus proceeds of said funds, and by such other  
62 interest and incomes as may in any way accrue to said Academy,  
63 without diminishing the principal of said funds] The Trustees and  
64 Proprietors of Bacon Academy shall be operated exclusively for  
65 charitable purposes for the benefit of the citizens of the Town of  
66 Colchester, Connecticut, including the promotion of education and the  
67 support of the Bacon Academy, lessening the burdens of government  
68 and the preservation of historic buildings.

69 Sec. 503. Article 2 of the resolution incorporating Bacon Academy in  
70 1803 contained in Volumes I and II, Title I, Academies, of the Resolves  
71 and Private Laws of the State of Connecticut from the year 1789 to the  
72 year 1836 is amended to read as follows (*Effective from passage*):

73 2. The whole management and superintendence of [said] The  
74 Trustees and Proprietors of Bacon Academy [, at all times from and  
75 after the first Tuesday in July next,] shall be vested in a self-  
76 perpetuating Board of [twelve] not less than six nor more than  
77 eighteen Trustees, [seven of whom, and no more, shall be members of  
78 said corporation, and resident in said society, at the time of their

79 appointment to said trust, and shall be styled the Trustees of Bacon  
80 Academy,] and by virtue of their office they and their successors shall  
81 be fully seized and possessed in right of and in trust for said  
82 corporation of all the real and personal estate, interest and revenues of  
83 said corporation, to use and improve the same for the greatest benefit  
84 of [said Academy] the exempt purposes of said corporation and for no  
85 other purpose.

86 Sec. 504. Article 5 of the resolution incorporating Bacon Academy in  
87 1803 contained in Volumes I and II, Title I, Academies, of the Resolves  
88 and Private Laws of the State of Connecticut from the year 1789 to the  
89 year 1836 is amended to read as follows (*Effective from passage*):

90 [5] 3. The [trustees] Board of Trustees shall have power to [hold and  
91 use the seal of said corporation, and in the name of said corporation  
92 may at their discretion, institute and defend in all suits or actions  
93 involving the interest of said corporation, and may submit any matter  
94 of dispute or controversy concerning their rights or interest to the  
95 award of arbitrators, and shall have the general power of securing,  
96 receiving and paying out the income or revenues of said corporation,  
97 and of conducting and managing the whole affairs and business of  
98 said Academy, not otherwise in this resolve provided for, in such  
99 manner as they shall judge most conducive to its prosperity and the  
100 design of their trust; and any three of said trustees resident in said  
101 society and selected and appointed for that purpose by said  
102 corporation, at their annual meeting or at any other legal meeting  
103 warned for that purpose, shall be the committee of the inhabitants of  
104 said society to loan the moneys belonging to said fund as directed in  
105 said last will and testament. And the said trustees and said committee  
106 shall annually report to said corporation the expenditures of the  
107 preceding year and of the state of their funds, and shall receive no  
108 emolument for their services except for actual expenses and time spent  
109 in taking care of said estate] manage and conduct the property and  
110 affairs of The Trustees and Proprietors of Bacon Academy pursuant to  
111 the bylaws of said corporation and shall be entitled to the full benefit  
112 of the limitations on personal liability and the right to obligatory

113 indemnification permitted under section 33-1026 of the Connecticut  
114 General Statutes, or any successor thereto.

115       Sec. 505. (*Effective from passage*) Articles 3, 4, 6 and 7 of the resolution  
116 incorporating Bacon Academy in 1803 contained in Volumes I and II,  
117 Title I, Academies, of the Resolves and Private Laws of the State of  
118 Connecticut from the year 1789 to the year 1836 are repealed.

119       Sec. 506. (*Effective from passage*) The May 1827 alteration to the  
120 resolution incorporating Bacon Academy in 1803 contained in  
121 Volumes I and II, Title I, Academies, of the Resolves and Private Laws  
122 of the State of Connecticut from the year 1789 to the year 1836 is  
123 repealed.

124       Sec. 507. (*Effective from passage*) The resolution changing the time of  
125 holding the annual meeting of the corporation of Bacon Academy  
126 contained in Volume IV of the Resolves and Private Laws of the State  
127 of Connecticut from the year 1836 to the year 1857 is repealed.

128       Sec. 508. (*Effective from passage*) Number 298 of the Special Acts and  
129 Resolutions of 1893 is repealed."